

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

NOVARTIS PHARMACEUTICALS
CORPORATION, NOVARTIS AG,
NOVARTIS PHARMA AG and LTS
LOHMANN THERAPIE-SYSTEME AG,

Plaintiffs,

v.

MYLAN PHARMACEUTICALS INC. and
MYLAN TECHNOLOGIES, INC.

Defendants.

C.A. No. 14-cv-777-RGA

JOINT STIPULATION AND ORDER OF DISMISSAL

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned counsel for Plaintiffs Novartis Pharmaceuticals Corporation, Novartis AG, Novartis Pharma AG and LTS Lohmann Therapie-Systeme AG (collectively, “Plaintiffs”) and Defendants Mylan Pharmaceuticals Inc. and Mylan Technologies, Inc. (collectively, “Mylan”) that:

1. Plaintiffs’ claim in the First Amended Complaint for Patent Infringement (D.I. 53), docketed March 17, 2015, concerning Mylan’s 4.6 mg/24 hr, 9.5 mg/24 hr and 13.3 mg/24 hr dosage strength rivastigmine transdermal systems, as described in Mylan’s ANDA No. 20-5622, **be dismissed with prejudice**;
2. Notwithstanding the above paragraph 1, Plaintiffs shall retain the right to pursue any and all relief against Mylan (including Mylan’s subsidiaries, officers, directors, employees, customers, distributors, suppliers, representatives and agents, and their successors and assigns) for infringement of U.S. Patent No. 6,335,031 (“the ’031 patent”) and/or U.S. Patent No. 6,316,023 (“the ’023 patent”) in the event that there is a material amendment or supplement to its ANDA No. 20-5622, or a material change to its ANDA products or their component(s) so as to result in infringement of the ’031 patent and/or the ’023 patent; and

3. The parties shall bear their own costs and attorneys' fees.

Dated: September 16, 2015

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Inc.*

IT IS SO ORDERED, this _____ day of _____, 2015

The Honorable Richard G. Andrews
United States District Judge